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CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

BY: \_\_\_\_\_

1 Ryan Lee, Esq. (SBN 235879)  
2 Krohn & Moss, Ltd.  
3 10474 Santa Monica Blvd., Suite 401  
4 Los Angeles, CA 90025  
5 T: (323) 988-2400; F: (866) 802-0021  
6 rlee@consumerlawcenter.com  
7 Attorneys for Plaintiff,  
8 MARILYN DOUGLASS

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

8 MARILYN DOUGLASS,

9 Plaintiff,

10 v.

11 NORTHSTAR LOCATION SERVICES,

12 LLC.,

13 Defendant.

Case No:

**CV 12-05946** mmm (DTB)

COMPLAINT AND DEMAND FOR  
JURY TRIAL

(Unlawful Debt Collection Practices)

VERIFIED COMPLAINT

16 MARILYN DOUGLASS (Plaintiff), by attorneys, KROHN & MOSS, LTD., alleges the  
17 following against NORTHSTAR LOCATION SERVICES, LLC. (Defendant):

INTRODUCTION

20 1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15  
21 U.S.C. 1692 et seq. (FDCPA).

22 2. Count II of the Plaintiff's Complaint is based on Rosenthal Fair Debt Collection  
23 Practices Act, Cal. Civ. Code §1788 et seq. (RFDCPA).

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**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.
4. Defendant conducts business in the state of California, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

**PARTIES**

6. Plaintiff is a natural person residing in Palm Desert, Riverside County, California.
7. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)* and Defendant is attempting to collect a debt by communicating with Plaintiff as that term is defined by *15 U.S.C. 1692a(5)* and *Cal. Civ. Code § 1788.2(h)*.
8. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and *Cal. Civ. Code § 1788.2(c)*, and sought to collect a consumer debt by contacting Plaintiff.
9. Defendant is a national collection agency with a business office in Cheektowaga, New York and conducts business in California.
10. At all times relevant to this Complaint, Defendant has acted through its agents employees, officers, members, directors, heir, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers in the District of California.

**FACTUAL ALLEGATIONS**

11. In or around March of 2012, Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged consumer debt, with internal file number 12144832. See transcribed voicemail message attached hereto as Exhibit A.
12. Plaintiff’s alleged debt owed arises from transactions on a Chase credit card used for

1 personal, family, and household purposes.

2 13. On March 28, 2012, Defendant called Plaintiff and left a voicemail message on  
3 Plaintiff's answering machine. *See* Exhibit A.

4 14. In the voicemail message, Defendant's representative, "Tom" failed to meaningfully  
5 disclose the company's name or the nature of the call or state that the call was from a  
6 debt collector. *See* Exhibit A.

7 15. In the voicemail message, Defendant's representative, "Tom", directed Plaintiff to call  
8 him back at 1-866-858-2984, and reference file number 12144832, which is a number  
9 that belongs to Defendant. *See* Exhibit A.

10 16. No further information is provided on the voicemail, and so Plaintiff has no way of  
11 determining the identity of the caller or the purpose of the call.

12 17. Defendant called Plaintiff's telephone number at XXX-XXX-6971.

13 18. On March 29, 2012, Defendant called Plaintiff and left a second voicemail message on  
14 Plaintiff's answering machine. *See* transcribed voicemail message attached hereto as  
15 Exhibit B.

16 19. In the voicemail message, Defendant's representative, "Tom" failed to meaningfully  
17 disclose the company's name or the nature of the call or state that the call was from a  
18 debt collector. *See* Exhibit B.

19 20. In the voicemail message, Defendant's representative, "Tom", directed Plaintiff to call  
20 him back at 1-866-858-2984, which is a number that belongs to Defendant. *See* Exhibit  
21 B.

22 21. No further information is provided on the voicemail, and so Plaintiff has no way of  
23 determining the identity of the caller or the purpose of the call.

24 22. Defendant called Plaintiff's telephone number at XXX-XXX-6871.

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**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

23. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.
- b. Defendant violated §1692d(6) of the FDCPA through the placement of calls without meaningful disclosure of the caller's identity.
- c. Defendant violated §1692e of the FDCPA through the use of false, deceptive, or misleading representation or means in connection with the collection of any debt.
- d. Defendant violated §1692e(11) of the FDCPA through the failure to state in communications with a consumer in connection with the collection of a debt that the communication is from a debt collector and that any information obtained will be used for that purpose.

WHEREFORE, Plaintiff, MARILYN DOUGLASS respectfully requests judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC., for the following:

24. Statutory damages pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,

25. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,

*15 U.S.C. 1692k*

26. Any other relief that this Honorable Court deems appropriate.

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**COUNT II**  
**DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT COLLECTION**  
**PRACTICES ACT**

27. Plaintiff repeats and re-alleges all of the allegations in Count I of Plaintiff's Complaint as the allegations in Count II of Plaintiff's Complaint.

28. Defendant violated the RFDCPA based on the following:

- a. Defendant violated §1788.17 of the RFDCPA by continuously failing to comply with the statutory regulations contained within the FDCPA, *15 U.S.C. § 1692 et seq.*, to wit: Sections *1692d* and *1692e*.

WHEREFORE, Plaintiff, MARILYN DOUGLASS, respectfully requests judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC., for the following:

29. Statutory damages pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal.*

*Civ. Code §1788.30(b)*,

30. Costs and reasonable attorneys' fees pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ Code § 1788.30(c)*, and

31. Any other relief that this Honorable Court deems appropriate.

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, MARILYN DOUGLASS, demands a jury trial in this cause of action.

DATED: July 3, 2012

RESPECTFULLY SUBMITTED,

KROHN & MOSS, LTD.

By: \_\_\_\_\_

Ryan Lee  
Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF CALIFORNIA

Plaintiff, MARILYN DOUGLASS, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, MARILYN DOUGLASS, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE: 4/25/12

  
MARILYN DOUGLASS

EXHIBIT A

Marilyn Douglas this is Tom (unintelligible), I wanted to speak to you personally regarding a client I represent, hopefully you can call me back today at 866-858-2984, that is 866-858-2984. I should be available until 6 P.M. Eastern Standard. I am just not in a position to extend much time, it looks like they have done, again, due diligence here trying to reach you. I have to stay....I do have a decision I have to render regarding this and several other matters, it would behoove you to call me back. It is just not feasible for me to hold this any further. I have another job if you could just tell me. If you have a desire to resolve this please make it a point to reach me out, I'll take whatever situation you are going through into consideration, but again in order to do that it is contingent upon a response. Please make it a point to reach me today. 1-866-858-2984, that is 1-866-858-2984. File number is 12144832, again 866-858-2984. Thanks.

**EXHIBIT B**

I would like to speak to Marilyn. Marilyn Douglas this is Tom (unintelligible) 866-858-2984, that's 866-858-2984. Make it a point to reach me 866-858-2984. Make it a point to reach me, 866-858-2984, 866-858-2984. File number 18668582984. Make it a point to reach me. Hopefully we can have this handled in some way.



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Margaret M. Morrow and the assigned discovery Magistrate Judge is David T. Bristow.

The case number on all documents filed with the Court should read as follows:

**CV12- 5946 MMM (DTBx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MARILYN DOUGLASS

PLAINTIFF(S)

v.

NORTHSTAR LOCATION SERVICES, LLC.

DEFENDANT(S).

CASE NUMBER

CV12-05946 MMM(DTBx)

**SUMMONS**TO: DEFENDANT(S): PORTFOLIO RECOVERY ASSOCIATES, LLC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Ryan Lee, Esq., whose address is Krohn & Moss, Ltd.; 10474 Santa Monica Blvd., Suite 401; Los Angeles, CA 90025. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUL 11 2012

Dated: \_\_\_\_\_

Clerk, U.S. District Court

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)

*[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].*